

**REMARKS**

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of December 28, 2006.

Applicants have now had an opportunity to carefully consider the Examiner's comments. Reconsideration and re-examination of the application is requested.

**The Office Action**

All claims remaining in the application (claims 1-28) were rejected. Claims 1-5, 7, 10-18 and 20-27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Chrisop (U.S. Patent Application Publication No. 2001/0025343) in view of Ainsbury et al. (U.S. Patent No. 6,078,924).

Claims 6, 9 and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Chrisop and Ainsbury and further view of Trusheim (U.S. Patent No. 6,385,589).

Finally, claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over Chrisop and Ainsbury and further in view of Satoh (U.S. Patent No. 6,122,446).

Claims 1-28 remain in the application. Independent claims 1, 12, 22 and 25 have been amended in order to further clarify the claimed disclosure. Applicants respectfully request that the rejections to the application be withdrawn for at least the following reasons.

**Brief Description**

The disclosure relates to a method and system for a secured data file erasure and confirmation. The application claims a system and a method for providing a status report following the request of the destruction of files. The user or system administrator may select an overwrite pattern to be used to overwrite the data files so that no one can recover the erased data from the storage medium. Examples of the storage medium include a hard drive or removable disc. The system and method allows for flexible programmable sequences/patterns of overwrite to satisfy any overwrite requirements. These patterns may be taken from a stored pattern table and the number of patterns used may be dictated by system requirements as set by the customer. This system allows for data file eraser at discrete points in time to allow for unique, customized

overwrite of the data file.

Cited Art

The Examiner's primary reference is Chrisop. Chrisop is directed to a random bit mask generation for obscuring data on nonvolatile memory device. Chrisop is used for preventing unauthorized access to information temporarily stored in memory. Chrisop includes storing information to memory, conducting an operation on the information and automatically overwriting the information one or more times with a bit mask. The bit mask may be non-random or random sequence of binary values. Chrisop, however, is directed towards automatically overwriting the information with random sequences. The automatic overwrite may be in the form of automatic interruption overwrite or a completed overwrite which may be chosen by a user.

Examiner also cites Ainsbury. Ainsbury is an information platform that automates the collection of data. Ainsbury provides a method of organizing the library of information and provides analysis using multiple content types. The information platform is a client server implementation that is subdivided into four major sections; data retrieval; data classification and storage, information browsing, and desktop integration.

The claims as amended are patentably distinguishable over the cited references

The Examiner will appreciate that independent claims 1, 12, 22 and 25 have been amended. These claims were amended in order to further clarify the claimed disclosure.

Claim 1 now includes language that specifies that each overwrite includes a plurality of unique patterns to each said data file and that the number of unique patterns varies according to the user input value identified for said data file. Chrisop, the Examiner's primary reference, does not disclose such a feature. Chrisop may disclose, as the Examiner stated, overwriting memory with a random bit mask generation. However, there is no reference to the overwrite comprising unique patterns or the number and order of unique patterns being determinant upon a user input value identified for each of said data file. The Examiner cites a section of Chrisop which

points to either a user choosing one of two choices; automatic interruption overwrite, or complete overwrite. In this paragraph, disclosed in Chrisop, programmer may select either automatic interruption overwrite or completed overwrite for select or all operations. This, however, cannot be equated to the overwrite including a plurality of different patterns. The patterns chosen will be unique for each of said data file. In this case, a user may use a different pattern on each overwrite instead of settling on a single algorithm as disclosed in Chrisop. Stated another way, Examiner asserts that Chrisop discloses performing an overwrite of the data with a bit mask. The overwrite can be performed using one of two methods: the complete overwrite or automatic interruption overwrite. These methods control *when* the overwrite is performed, either once the power goes off or once the operation is complete. See Chrisop Para 45. However, claim 1 discloses a method where the overwrite includes a plurality of patterns, and the number and order is linked to a user-input value. This is a reference to *how* the overwrite is performed. Support for this amendment can be found at Para 6 and Para 16.

As such, amended claim 1 is patentably distinguishable over the references cited and is in proper condition for allowance. Furthermore, the addition of the other cited references does not cure this deficiency.

Claim 12 has also been amended in order to further clarify the invention. Claim 12 now includes the language of the overwrite comprising a set of patterns selected from a stored pattern table that is unique to the data file. Support for this amendment may be found in Figure 6, Box 208, and paragraph 36.

The Examiner's references Chrisop and Ainsbury, do not disclose or suggest a stored pattern table in which patterns may be selected. It is thereby submitted that claim 12 is now in condition for allowance. It is respectfully requested that the rejection to claim 12 be withdrawn.

The Examiner will appreciate that claims 22 and 25 also have been amended in order to further clarify the disclosure. These two claims include the concept of a pattern table which is not disclosed or even suggested by the cited art. It is hereby respectfully requested that the rejections to claims 22 and 25 be withdrawn.

**All claims remaining in the application are now in condition for allowance**

The Examiner will appreciate that all remaining claims in the application (claims 2-11, 13-21, 23, 24, and 26-28) are either directly or indirectly dependent upon one of the claims discussed above (claims 1, 12, 22 or 25). Because of the reasons stated above, all independent claims are currently in condition for allowance. Furthermore, all claims dependent therefrom are also in condition for allowance. It is hereby respectfully requested that the rejections be withdrawn for all claims remaining in the application.

### CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1-28) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

No additional fee is believed to be required for this Amendment. However, the undersigned attorney of record hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Deposit Account No. 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Patrick R. Roche, at Telephone Number (216) 861-5582.

Respectfully submitted,

FAY SHARPE LLP

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Date

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Date: <u>March 16, 2007</u>	Name: Georgene B. Sonntag